UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF INDIANA INDIANAPOLIS DIVISION

KIMBERLY A. SMITH,)
Plaintiff,))
v.) Cause No.: 1:13-cv-041-TWP-TAB
THE WATERS OF MUNCIE, LLC,))
Defendant.))

STIPULATION OF DISMISSAL

Plaintiff Kimberly A. Smith and Defendant The Waters of Muncie, LLC, by their respective counsel, hereby stipulate and agree that all claims filed by the parties as part of this cause of action should be dismissed with prejudice.

Respectfully submitted,

/s/Joshua D. Hague

Joshua D. Hague Krieg DeVault LLP 12800 North Meridian Street, Suite 300 Carmel, IN 46032

Telephone: (317) 636-4341 jhague@kdlegal.com

Attorney for Defendant

/s/ Christopher E. Clark Christopher E. Clark GOODIN ABERNATHY, LLP 8900 Keystone Crossing, Suite 1100 Indianapolis, IN 46240 (317) 843-2606 Cclark@goodinabernathy.com

Attorney for Plaintiff

KD_5837306_1.DOC